

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/057,889	KO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Olisa Anwah	2645	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 4/19/5.
2. ☒ The allowed claim(s) is/are 5-10,13,18-23,29-34,37,42-47 and 50-77.
3. ☒ The drawings filed on 28 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

*fw*

**DETAILED ACTION**

**Allowable Subject Matter**

1. Claims 5-10, 13, 18-23, 29-34, 37, 42-47 and 50-77.
2. The After Final Amendment filed 4/19/5 has not been entered.

**EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

**CONSULTATION with ATTORNEY**

4. Authorization for this examiner's amendment was given in a telephone interview with Leon Turkevich on April 25<sup>th</sup> 2005.

**AMMENDMENT to APPLICATION**

5. The application has been amended as follows:
  - a) Regarding claim 51, line 1

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--recording device--has been changed to "nonswitching recording device";

b) Regarding claim 52, line 1

--recording device--has been changed to "nonswitching recording device";

c) Regarding claim 53, line 2

--recording device--has been changed to "nonswitching recording device";

d) Regarding claim 54, line 1

--recording device--has been changed to "nonswitching recording device";

e) Regarding claim 61, line 1

--recording device--has been changed to "nonswitching recording device";

f) Regarding claim 62, line 1

--recording device--has been changed to "nonswitching recording device";

g) Regarding claim 63, line 1

--recording device--has been changed to "nonswitching recording device";

h) Regarding claim 64, line 1

--recording device--has been changed to "nonswitching recording device";

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i) Regarding claim 65, line 1

--recording device--has been changed to "nonswitching recording device";

j) Regarding claim 72, line 1

--recording device--has been changed to "nonswitching recording device";

k) Regarding claim 73, line 1

--recording device--has been changed to "nonswitching recording device";

l) Regarding claim 74, line 1

--recording device--has been changed to "nonswitching recording device";

m) Regarding claim 75, line 1

--recording device--has been changed to "nonswitching recording device";

n) Regarding claim 76, line 1

--recording device--has been changed to "nonswitching recording device";

o) Regarding claim 77, line 1

--recording device--has been changed to "nonswitching recording device";

### REASONS FOR ALLOWANCE

6. The following is an examiner's statement of reasons for allowance:

Ranalli et al, U.S. Patent No. 6,539,077 (hereinafter Ranalli) discloses the recording device is a PBX. Hence Ranalli fails to teach the recording device is a nonswitching device.

Tamir et al, U.S. Patent No. 5,568,538 (hereinafter Tamir) discloses a nonswitching recording device (see Figures 1-7). However Tamir does not teach the claimed retrieving limitation.

Goldberg et al, U.S. Patent No. 6,075,844 (hereinafter Goldberg) teaches a nonswitching recording device (see Figure 1). Yet Goldberg fails to teach the claimed retrieving limitaion.

Pond, U.S. Patent Application Publication No. 2003/0063580 (hereinafter Pond) teaches a recording device integrated within the telephony device. Nonetheless, Pond does not teach the claimed open-protocol query.

### Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

0.A.

Olisa Anwah  
Patent Examiner  
April 28, 2005

FAN TSANG  
SUPERVISOR  
PATENT EXAMINER  
TECHNOLOGY CENTER 2600

